

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**


ROBBIN L. JONES,	:	
	:	
Plaintiff,	:	Case No. 3:08cv00224
	:	
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
MICHAEL J. ASTRUE,	:	
Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

**DECISION AND ENTRY ADOPTING IN FULL THE REPORT AND
RECOMMENDATIONS FILED ON AUGUST 12, 2009 (Doc. #15); VACATING
THE COMMISSIONER'S NON-DISABILITY FINDING; REMANDING THIS
CASE TO THE COMMISSIONER AND THE ADMINISTRATIVE LAW
JUDGE UNDER SECTION FOUR OF 42 U.S.C. § 405(g) FOR FURTHER
CONSIDERATION CONSISTENT WITH THE REPORT AND
RECOMMENDATIONS (Doc. #15); AND TERMINATING THE CASE ON
THE DOCKET OF THIS COURT**

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #15), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said Report and Recommendations.

It therefore is **ORDERED** that:

1. The Report and Recommendations filed on August 12, 2009 (Doc. #15) are **ADOPTED** in full;
2. The Commissioner's non-disability findings is **VACATED**;
3. No finding is made as to whether Plaintiff Robbin L. Jones was under a "disability" within the meaning of the Social Security Act;
4. This case is **REMANDED** to the Commissioner and the Administrative Law Judge under Sentence Four of 42 U.S.C. § 405(g) for further consideration consistent with the Report and Recommendations (Doc. #15); and
5. This case is **TERMINATED** on the docket of this Court.



Walter Herbert Rice
United States District Judge